

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7548

BILL NUMBER: SB 576

NOTE PREPARED: Jan 12, 2005

BILL AMENDED:

SUBJECT: Paternity and Child Support.

FIRST AUTHOR: Sen. Waterman

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that a person may petition for a redetermination of paternity and a redetermination of child support if a genetic test excludes the person as the biological father of the child.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: *Court Fee Revenue:* This bill allows the potential for additional hearings from which the county and state may receive court fees. If additional civil actions occur, revenue to the state General Fund may increase if court fees are collected. A civil filing fee of \$100 would be assessed when a civil case is filed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court. Any additional revenues are likely to be small.

Background Information: The court may, on its own motion or on the motion of any party, order an additional genetic test. Payment for the testing would ultimately be the responsibility of the moving parties. Under current arrangement, the Family and Social Services Administration (FSSA) approves a series of laboratories to conduct genetic testing to determine paternity. The average test cost is \$195 for three individuals: the mother, child, and putative father. If the paternity testing is performed privately, the average cost is \$455.

Explanation of Local Expenditures:

Explanation of Local Revenues: *Court Fee Revenue:* If additional civil actions occur, local governments

would receive revenue from the following sources. The county general fund would receive 27% of the \$100 filing fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.

State Agencies Affected: Family and Social Services Administration.

Local Agencies Affected: Trial courts, city and town courts.

Information Sources: Angela Hoover, Legislative Liaison, FSSA, 233-0890; Daphne Risch, FSSA.

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